

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Criminal No. 19-203

v.

Honorable Terrence G. B...

D-1 DORIAN BROADNAX,

Violations:

Defendant.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 843(b)

18 U.S.C. § 922(g)(1)

Second Superseding Indictment

The Grand Jury charges that:

Count One

Distribution of a Controlled Substance

21 U.S.C. § 841(a)(1)

On or about November 29, 2017, in the Eastern District of Michigan, the defendant, DORIAN BROADNAX, knowingly and voluntarily distributed a controlled substance, that is, 100 grams or more of a mixture and substance containing a detectable amount of

heroin, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(i).

The defendant, DORIAN BROADNAX, having a prior conviction for a serious drug felony for which he served a term of imprisonment of more than twelve months, and having been released from any term of imprisonment within fifteen years of the commencement of the instant offense, is subject to increased penalties provided under Title 21, United States Code, Sections 841, 846, and 851.

Count Two
**Use of a Communication Facility to Commit a Controlled
Substance Offense**
21 U.S.C. § 843(b)

On or about November 29, 2017, in the Eastern District of Michigan, the defendant, DORIAN BROADNAX, knowingly and intentionally used a communication facility, that is, a cellular telephone, to commit and facilitate a controlled substances offense, as alleged in Count One, specifically distribution of a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and

841(b)(1)(B)(i); all in violation of Title 21, United States Code, Section 843(b).

Count Three
Possession of a Firearm by a Convicted Felon
18 U.S.C. § 922(g)(1)

On or about June 26, 2019, in the Eastern District of Michigan, the defendant, DORIAN BROADNAX, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, one (1) Smith & Wesson M&P 9C pistol, serial number HAJ7511, in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1).

Forfeiture Allegations

The allegations contained in Counts One, Two, and Three of this Second Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture under Title 18, United

States Code, Section 924(d) together with Title 28, United States Code, Section 2461(c), and Title 21, United States Code, Section 853.

Under Title 18, United States Code, Section 924(d)(1) together with Title 28, United States Code, Section 2461(c), upon conviction of the offense in violation of Title 18, United States Code, Section 922(g) set forth in Count Three of this Second Superseding Indictment, the defendant, shall forfeit to the United States of America, any firearm or ammunition involved in or used in any knowing violation of the offense, including, but not limited to: one (1) Smith & Wesson M&P 9C pistol, serial number HAJ7511.

Under Title 21, United States Code, Section 853, upon conviction of offenses in violation of Title 21, United States Code, Sections 841 or 843, the defendant, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses.

As part of the forfeiture in this case, the United States intends to seek entry of a forfeiture money judgment.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

This is a True Bill.

s/Grand Jury Foreperson
Grand Jury Foreperson

DAWN N. ISON
United States Attorney

/s/ Benjamin Coats
Benjamin Coats
Chief, Drug Task Force Unit

/s/ Paul Kuebler
Paul Kuebler
Terrence Haugabook
Assistant United States Attorneys

Dated: February 15, 2023

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number <u>19-20352</u>
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <u>BK</u>

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Case Title: USA v. U.S. V. Dorian Broadnax

County where offense occurred : Wayne

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

 Indictment/ Information --- no prior complaint.

 Indictment/ Information --- based upon prior complaint [Case number: _____]

X Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 19-20352 Judge: Terrence Berg

☒ Corrects errors; no additional charges or defendants.

☐ Involves, for plea purposes, different charges or adds counts.

☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

February 15, 2023

Date

Paul A. Kuebler

PAUL KUEBLER

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Attorney Bar #:

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.